

**EDUCATION DEPARTMENT[281]**

**Adopted and Filed**

**Rule making related to operational function sharing**

The State Board of Education hereby amends Chapter 98, “Financial Management of Categorical Funding,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 256.7.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 257.11.

*Purpose and Summary*

Chapter 98 outlines the financial management of categorical funding. The amendment to Chapter 98 reflects changes brought about during the 2018 Legislative Session that pertain to categorical funding for operational function sharing by Iowa school districts. The amendment includes the addition of master social workers and independent social workers licensed under Iowa Code chapters 147 and 154C to the list of eligible operational functions, as well as the removal of the five-year limit on eligibility for receiving supplemental weighting.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on April 24, 2019, as **ARC 4404C**. A public hearing was held on May 14, 2019, at 9 a.m. in the State Board Room, Second Floor, Grimes State Office Building, Des Moines, Iowa. No one attended the public hearing. The Department received one public comment regarding adding in “licensed” providers. The word “licensed” was added before “mental health counselor,” and the words “licensed independent” were added before “social worker.”

*Adoption of Rule Making*

This rule making was adopted by the State Board on June 13, 2019.

*Fiscal Impact*

Local districts may be able to share positions, resulting in savings to local school districts.

*Jobs Impact*

Local districts may be able to share positions, resulting in savings to local school districts.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 281—Chapter 4.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s

meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on August 7, 2019.

The following rule-making action is adopted:

Amend rule 281—98.15(257) as follows:

**281—98.15(257) Operational function sharing supplementary weighting.** Operational function sharing supplementary weighting provides funding in addition to the student count that generates general purpose revenues and is for the purpose of incenting sharing of management-level staff. It is assumed that operational function sharing supplementary weighting covers only a portion of the costs of sharing management-level staff, a curriculum director, ~~or a school guidance or licensed mental health counselor, or a licensed independent social worker~~ and shall be fully expended within the ~~five-year~~ period of sharing. Therefore, school districts are not required to account for the operational function sharing supplementary weighting funding separate from the general purpose revenues.

[Filed 6/14/19, effective 8/7/19]

[Published 7/3/19]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 7/3/19.